IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

FRIDAY, THE 9TH FEBRUARY 2007 / 20TH MAGHA 1928

Bail Appl..No. 570 of 2007

(CRIME NO. 37/2007 OF PANDALAM POLICE STATION)

PETITIONERS/ACCUSED NO.1 TO 4

1. SABU.C.P. - (A1), S/O.CHELLAPPAN, CHANAKATHADATHIL, KADAKKADU MURI, KURAMBALA, KURAMBALA VILLAGE.

2. SANCHU (THAMPICHAN) - (A2), S/O.THILAKAN, SUVARNNALAYAM, KUMARANALLOOR, PERUMBAYIKKADU TALUK, KOTTAYAM DISTRICT.

3. ANIYAN- (A3) S/O.KUNJUKUNJU, KALLUVILA PUTHENVEEDU, KRAMPALA MURI, KURAMPALA VILLAGE, ADOOR TALUK, PATHANAMTHITTA DISTRICT.

4. P.D.BABU)-(A4), S/O.DAMODHARAN, KARAMEL VEEDU, KURAMPALA MURI, KURAMPALA VILLAGE, ADOOR TALUK.

BY ADV. SRI.VINOY VARGHESE KALLUMOOTTILL

RESPONDENTS:

1. STATE OF KERALA, REPRESENTED BY PUBLIC PROSECUTOR, HIGH COURT OF KERALA, ERNAKULAM.

2. SUB INSPECTOR OF POLICE, PANDALAM POLICE STATION, PANDALAM.

BY PUBLIC PROSECUTOR SRI. P.N.SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 09/02/2007,THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

B.A. No. 570 OF 2007 A

Dated this the 9th day of February, 2007

O R D E R

In this Petition filed under Sec. 438 Cr.P.C. the petitioners, who are accused Nos. 1 to 4 in Crime No.37/2007 of Pandalam Police Station for offences punishable under Sections 308, 323 and 324 read with section 34 I.P.C., seek anticipatory bail.

2. I heard the learned counsel for the petitioners and the learned Public Prosecutor.

3. Having regard to the fact that there is a counter case also registered as Crime No.38/2007 and to the further fact that the occurrence took place inside the textile shop of the first petitioner, I am inclined to grant anticipatory bail to the petitioners. Accordingly, a direction is issued to the officer-in-charge of the police station concerned to release the petitioners on bail for a period of one month in the event of their arrest in connection with the above case on each of them executing a bond for Rs. 10,000/- (Rupees ten thousand only) with two solvent sureties each for the like amount to the satisfaction to the said officer and subject to the following conditions:

a. Petitioners shall report before the Investigating Officer between 9 a.m. and 11 a.m. on all Wednesdays.

b. Petitioners shall make themselves available for interrogation as and when required by the Investigating Officer.

c. Petitioners shall not influence or intimidate the prosecution witnesses nor shall they attempt to tamper with the evidence for the prosecution.

d. Petitioners shall not commit any offence while on bail.

e. Petitioners shall surrender before the Magistrate concerned and seek regular bail in the meanwhile.

If the petitioners commit breach of any of the above conditions, the bail granted to them shall be liable to be cancelled.

This application is allowed as above.

(V. RAMKUMAR, JUDGE)

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